

## **REMARKS**

Claims 1-22 are pending in the Application. Claims 1-12 are cancelled without prejudice. Claims 21 and 22 are newly submitted. Claim 13 and 16 are currently amended. Support for the newly added claim may be found in the specification and drawings as originally filed.

Claims 1-6 are rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement. Claims 1, 2, 7, and 8 are rejected under 35 USC 102(e) as being anticipated by Ko (US 7,051,280). Claims 1, 2, 7, and 8 are rejected under 35 USC 102(b) as being anticipated by Ward et al (US 2005/0010949). Claims 3 and 9 are rejected under 35 USC 103(a) as being unpatentable over Ward and further in view of Kaizu et al (US 2002/0097985). Claims 3 and 9 are rejected under 35 USC 103(a) as being unpatentable over Ko in view of Kaizu. Claims 4, 6, 10, and 12 are rejected under 35 USC 103(a) as being unpatentable over Ko and Kaizu and further in view of Tani. Claims 5 and 11 are rejected under 35 USC 103(a) as being unpatentable over Ko, Kaizu, and Tani, and further in view of Ward. Claims 16 and 17 are rejected under 35 USC 103(a) as being unpatentable over Ward and further in view of Tani. Claim 18 is rejected under 35 USC 103(a) as being unpatentable over Ward and Tani and further in view of Labeeb et al (US 2003/0093792). Claims 13 and 14 are rejected under 35 USC 103(a) as being unpatentable over Goldman (US 2002/0112239) and further in view of Tani. Claims 15 and 19 are rejected under 35 USC 103(a) as being in unpatentable over Goldman and Tani as applied and further in view of Fries et al. (US 7,134,134). Claim 20 is rejected under 35 USC 103(a) as being unpatentable over Goldman, Tani, and Fries, and further in view of Ward. Applicant respectfully traverses these rejections, and requests reconsideration and allowance of the pending claims in view of the following arguments.

**Rejection under 35 USC 112, first paragraph, as failing to comply with the written description requirement**

Claims 1-6 are rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement. Claims 1-6 have been cancelled without prejudice, thus rendering their rejection moot.

**Rejection under 35 USC 102(e) as being anticipated by Ko**

Claims 1, 2, 7, and 8 are rejected under 35 USC 102(e) as being anticipated by Ko. Claims 1, 2, 7, and 8 have been cancelled without prejudice, thus rendering their rejection moot.

**Rejection under 35 USC 102(b) as being anticipated by Ward et al**

Claims 1, 2, 7, and 8 are rejected under 35 USC 102(b) as being anticipated by Ward et al. Claims 1, 2, 7, and 8 have been cancelled without prejudice, thus rendering their rejection moot.

**Rejection under 35 USC 103(a) as being unpatentable over Ward and Kaizu**

Claims 3 and 9 are rejected under 35 USC 103(a) as being unpatentable over Ward and further in view of Kaizu. Claims 3 and 9 have been cancelled without prejudice, thus rendering their rejection moot.

**Rejection under 35 USC 103(a) as being unpatentable over Ko and Kaizu and  
further in view of Tani**

Claims 4, 6, 10, and 12 are rejected under 35 USC 103(a) as being unpatentable over Ko and Kaizu and further in view of Tani. Claims 4, 6, 10, and 12 have been cancelled without prejudice, thus rendering their rejection moot.

**Rejection under 35 USC 103(a) as being unpatentable over Ko, Kaizu, and Tani,  
and further in view of Ward**

Claims 5 and 11 are rejected under 35 USC 103(a) as being unpatentable over Ko, Kaizu, and Tani, and further in view of Ward. Claims 5 and 11 have been cancelled without prejudice, thus rendering their rejection moot.

**Rejection under 35 USC 103(a) as being unpatentable over Ward and Tani**

Claims 16 and 17 are rejected under 35 USC 103(a) as being unpatentable over Ward and further in view of Tani.

As amended, independent claim 16 recites photographing a color code comprising broadcast program information for a specific broadcast program.

Page 11 of the Office Action states that paragraphs 192-193 of Ward teaches an EPG using color-codes to categorize programs according to a plurality of themes. Additionally, the Office Action states that paragraphs 136-137 of Ward teach that a “user can reserve program for recording through the EPG.” Finally, the Office Action states that Ward fails to teach the color-code is a “photographing color code” and it would have been obvious to one of ordinary skill in the art to replace the color-code of Ward with the photographing color code of Tani. Applicant provides the following remarks.

Paragraph 193 of Ward states that “the EPG categorizes programs according to a plurality of themes. In one embodiment, the EPG color codes the presentation of the program in the Grid Guide according to the theme categorization assigned to the program.”

A review of the passage above reveals that programs are color coded according to a theme. For example as stated in paragraph 147 of Ward “a recording of CNN would likely show indexing breakdowns that include themes, such as ‘International News,’ ‘National News,’ ‘Sports,’ ‘Entertainment,’ ‘Business & Finance,’ and ‘Weather.’” Therefore, unlike the present invention, the programs in Ward may be associated with multiple themes, and therefore the program may be associated with multiple colors. Additionally, multiple programs may be associated with a specific themes, for example, all of the news programs may be associated with the “National News” theme.

Since multiple programs may be associated with a theme, a user would be unable to select a specific program by photographing a color code. Rather, for example, if a user were to photograph the color code for the “National News” theme, then the user would record every news program associated with the “National News” theme. Recording a specific program is not the same as recording all of the programs associated with a theme. Thus, Applicant submits that even if one skilled in the art were to replace the color-code of Ward with the photographing color code of Tani, the combination of cited references would fail to teach or suggest photographing a color code comprising broadcast program information for a specific broadcast program.

Additionally, as stated above, page 11 of the Office Action states that that paragraphs 136-137 of Ward teach that a “user can reserve program for recording through the EPG.” Furthermore, page 10 of the Office action states that paragraphs 150-151 of Ward disclose parsing reserve-recording information of a broadcast program selected to be recorded from the read EPG data and storing the parsed reserve-recording information on a reserve-recording list. Applicant provides the following arguments.

Paragraph 137 of Ward states that “one embodiment of the present invention provides the viewer with the option of recording a particular program "regularly." The "regularly" option can be selected when the viewer highlights a particular program title on the EPG Grid Guide.” Furthermore, paragraph 151 of Ward states that “the EPG's Record Function provides a Record List that identifies the titles of programs that the viewer has selected to be recorded. The speed sensitive tape capacity feature uses color coding to identify in one color the titles that would fit on one tape at a fast tape speed and to separately identify, with another color, the titles that would fit on one tape at slow tape speed.”

A review of the passages above reveals that a program is saved on the Record List after a program has been highlighted and selected for recording. The Record List then color codes the programs on the record list according to the tape speed. Accordingly, the broadcast program is manually selected as opposed to reading EPG data corresponding to the color code. Furthermore, the recorded program is saved according to a color code associated with tape speed, this is not the same as recording a program according to a color code for a specific broadcast program. Thus, Applicant submits that Ward fails to teach or suggest photographing a color code comprising broadcast program information for a specific broadcast program, parsing reserve-recording information of a broadcast program selected to be recorded from the read EPG data, storing the parsed reserve-recording information on a reserve-recording list, as recited in independent claim 16.

Applicant has demonstrated above that Ward fails to teach or suggest elements recited in claim 16. Additionally, it is respectfully submitted that Tani fails to cure the deficiencies of Ward with respect to “photographing a color code comprising broadcast program information for a specific broadcast program.” Therefore, claim 16 should be allowable over the cited combination of references. Additionally, claim 17 should be allowable by virtue of its dependence on allowable independent claim 16.

**Rejection under 35 USC 103(a) as being unpatentable over Ward and Tani and  
further in view of Labeeb.**

Claim 18 is rejected under 35 USC 103(a) as being unpatentable over Ward and Tani and further in view of Labeeb.

Applicant has demonstrated above that Ward and Tani do not teach or suggest various features recited in claims 16. Applicant further submits that Labeeb does not supply any of the deficiencies of Ward and Tani with respect to photographing a color code comprising broadcast program information for a specific broadcast program. Therefore, claims 16 is allowable over the asserted combination of references and claim 18 would be allowable at least by virtue of its dependency upon allowable independent claim 16.

**Rejection under 35 USC 103(a) as being unpatentable over Goldman and further in  
view of Tani.**

Claims 13 and 14 are rejected under 35 USC 103(a) as being unpatentable over Goldman and further in view of Tani.

As amended, claim 13 recites a decoding unit configured to receive reserve-recording information of a broadcast program associated with the photographed color code to be recorded by a user from the EPG data received from the EPG database via the modem and configured to store the read reserve-recording information on a reserve-recording list.

Page 12 of the Office Action states that element 72 of Fig. 6 of Goldman discloses a decoding unit for receiving reserve-recording information of a broadcast program to be recorded by a user from the EPG data received from the EPG database via the modem and recording the read reserve-recording information on a reserve-recording list. Applicant submits the following arguments.

Applicant has thoroughly reviewed Goldman and has found no discussion related to element 72 of Fig. 6. Accordingly, Fig. 6 of Goldman illustrates that the Remote Computer 60 is connected with the tuner 70 and that the Signal Input 18 receives input from the Signal Source 20. Fig. 6 does not illustrate any direct inputs to the Signal Decoder 72. At best, the Signal Decoder 72 may decode a signal. However, decoding a signal is not the same as “a decoding unit configured to receive reserve-recording information of a broadcast program associated with the photographed color code to be recorded by a user from the EPG data received from the EPG database via the modem and configured to store the read reserve-recording information on a reserve-recording list,” as recited in independent claim 13.

Fig. 6 of Goldman fails to illustrate or suggest an EPG database. Additionally, Applicant submits that Goldman fails to provide any unit for storing the read reserve-recording information on a reserve-recording list after receiving the reserve-recording information of a broadcast program associated with the photographed color code to be recorded by a user. Thus, Applicant submits that Goldman fails to teach or suggest all of the elements recited in independent claim 13.

As stated above, Goldman fails to teach or suggest elements recited in claim 13. Additionally, Tani fails to cure the deficiencies of Goldman with respect to “a decoding unit configured to receive reserve-recording information of a broadcast program associated with the photographed color code to be recorded by a user from the EPG data received from the EPG database via the modem and configured to store the read reserve-recording information on a reserve-recording list.” Therefore, claim 13 should be allowable over the cited combination of references. Additionally, claim 14 should be allowable at least by virtue of its dependence on allowable independent claim 13.

**Rejection under 35 USC 103(a) as being unpatentable over Goldman and Tani and further in view of Labeeb**

Claim 15 and 19 are rejected under 35 USC 103(a) as being unpatentable over Goldman and Tani and further in view of Labeeb.

Applicant has demonstrated above that Goldman and Tani do not teach or suggest various features recited in claim 13. Applicant further submits that Labeeb does not supply any of the deficiencies of Goldman and Tani with respect to a decoding unit configured to receive reserve-recording information of a broadcast program associated with the photographed color code to be recorded by a user from the EPG data received from the EPG database via the modem and configured to store the read reserve-recording information on a reserve-recording list. Therefore, claim 13 should be allowable over the asserted combination of references and claims 15 and 19 would be allowable at least by virtue of its dependency upon allowable independent claim 13.

**Rejection under 35 USC 103(a) as being unpatentable over Goldman, Tani, and Fries, and further in view of Ward**

Claim 20 is rejected under 35 USC 103(a) as being unpatentable over Goldman, Tani, and Fries, and further in view of Ward.

Applicant has demonstrated above that Goldman and Tani do not teach or suggest various features recited in claim 13. Applicant further submits that Fries and Ward does not supply any of the deficiencies of Goldman and Tani with respect to a decoding unit configured to receive reserve-recording information of a broadcast program associated with the photographed color code to be recorded by a user from the EPG data received from the EPG database via the modem and configured to store the read reserve-recording information on a reserve-recording list. Therefore, claim 13 should be allowable over the asserted combination of references and claim 20 should be allowable at least by virtue of its dependency upon allowable independent claim 13.



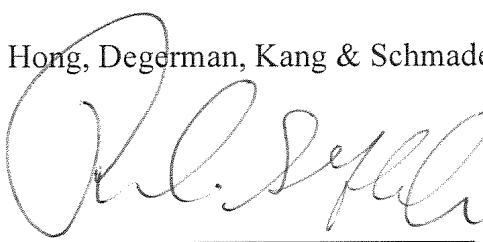
### CONCLUSION

In light of the above remarks, Applicant submits that the present Amendment places all claims of the present application in condition for allowance. Reconsideration of the application is requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

Lee, Hong, Degerman, Kang & Schmadeka

By: 

Richard C. Salfelder  
Registration No. 51,127  
Attorney for Applicant

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Customer No. 035884